# No. 42 STATE OF MICHIGAN

# JOURNAL OF THE

# House of Representatives

# 99th Legislature REGULAR SESSION OF 2017

House Chamber, Lansing, Thursday, May 4, 2017.

Reilly—present

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Glenn.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Afendoulis—present
Albert—present
Alexander—present
Allor—present
Barrett—present
Bellino—present
Bizon—present
Brann—present
Brinks—present
Byrd—present
Calley—present
Camilleri—present
Canfield—present
Chang—present
Chatfield—present
Chirkun—present
Clemente—present
Cochran—present
Cole—present
Cox—present
Crawford—present
Dianda—present
Durhal—present
Elder—present
Ellison—present
Faris—present
Farrington—present

Garcia—present Garrett-present Gay-Dagnogo—present Geiss—present Glenn—present Graves—present Green—present Greig—present Greimel—present Griffin—present Guerra—present Hammoud—present Hauck—present Hernandez—present Hertel—present Hoadley—present Hoitenga—present Hornberger—present Howell—present Howrylak—present Hughes—present Iden—present Inman—present Johnson—present Jones—excused Kahle—present Kelly—present

Kesto—present Kivela—excused Kosowski-present LaFave—present LaGrand—present LaSata—present Lasinski-present Lauwers—present Leonard—present Leutheuser—present Liberati—present Lilly—present Love—present Lower—present Lucido—present Marino-present Maturen—present McCready—present Miller—present Moss—present Neeley—present Noble—present Pagan—present Pagel—present Peterson—present Phelps—present Rabhi—present

Rendon—present Roberts—present Robinson—present Runestad—present Sabo-present Santana—present Schor—present Scott—present Sheppard—present Singh—present Sneller—present Sowerby—present Tedder—present Theis—present VanderWall—present VanSingel—present Vaupel—present VerHeulen—present Victory—present Webber—present Wentworth—present Whiteford—present Wittenberg—present Yanez—present Yaroch—present Zemke—present

Frederick—present

Pastor Michael Bouchard, Family Pastor of Kensington Church in Troy, offered the following invocation:

"God, Father, The Source of life, truth, love, and all things great:

We come before You and humbly ask for a blessing to rest upon us; a blessing out of the overflow of You.

We ask for wisdom, for You vow to give wisdom to all who seek it.

May wisdom meet us where we are, and guide our thoughts, our conversations, and our actions.

True greatness is not found in our ability to be right, but in our ability to live rightly.

So help us to be wise.

We ask for mercy, which is more dear to Your heart than any law.

May mercy cover our mistakes as we all fall short, and may we bravely extend mercy to those who wrong us.

True greatness is not found in our ability to judge, but in our ability to forgive and grant compassion.

So help us to be merciful.

We ask for vision, for we know ours has limits.

May we see through Your eyes, and notice the invisible among us.

May we see the future as bright, and see all people, problems, and possibilities through the lens of love instead of fear.

True greatness is not found in our ability to share our views, but in our ability to understand the views of another. So help us to see with Eyes that are not our own.

We ask for humility, as You've shown us the power of a servant leader.

May we serve those around us and those in our care, to the best of our abilities.

May we put others first, treating them the way we would wish to be treated.

True greatness is not found in our ability to exert power over, but in our ability to lead through power under. So help us to lead humbly.

Finally, we ask for unity, for it is one of Your greatest desires.

May we see our mosaic of upbringings, cultures, wirings, leanings, and drives as being our strength, and not our weakness.

May we seek to find truth, peace, justice, and liberty – together.

True greatness is not found in our sameness, but in our differences.

So help us to work together as one, for the greater good.

We ask this blessing of You, the Greatest Good.

May we shine brightly and give hope to the world around us.

Amen."

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The Speaker Pro Tempore assumed the Chair.

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Rep. Greig moved that Reps. Jones and Kivela be excused from today's session. The motion prevailed.

#### **Motions and Resolutions**

Reps. Hornberger, Brinks, Chirkun, Elder, Ellison, Faris, Geiss, Greig, Hoadley, Howrylak, Hughes, Kelly, Kesto, Lasinski, Leutheuser, Liberati, Marino, Maturen, Rendon, Sneller, Wittenberg, Yanez and Yaroch offered the following resolution:

#### House Resolution No. 80.

A resolution to declare May 2017 as Lyme Disease Awareness Month in the state of Michigan.

Whereas, The summer months call people to Michigan's outdoors to camp, hike, and otherwise enjoy the beauty of our lush green forests. It is appropriate to remind residents to take proper precautions and follow safety rules when visiting our woodlands. In recent years, Lyme disease has been a health concern among outdoor enthusiasts. We urge Michigan residents to be aware of the prevention, early signs and symptoms, and treatment of Lyme disease; and

Whereas, Lyme disease is an illness caused by the painless bite of a tiny deer tick. Lyme disease can cause serious health problems involving the heart, joints, and nervous system in humans and animals. Prompt medical attention will minimize complications of this illness. Early symptoms are headaches, stiff muscles, painful joints, fever, nausea and fatigue. Usually within a few days to several weeks of being bitten by an infected tick, about 60% may develop a circular rash. However, if no rash is detected, early detection of the disease can be difficult because symptoms can mimic other illnesses, then disappear, only to reoccur as serious health problems which places the patient at high risk for misdiagnosis; and

Whereas, First recognized in children in 1975 in Lyme, Connecticut, this disease has been reported with increasing frequency throughout the United States. The Centers for Disease Control and Prevention (CDC) estimates 300,000 cases of Lyme disease occur nationally each year. It is imperative for the citizens of Michigan to be fully informed about Lyme disease and the serious health complications it can cause. We salute the Michigan Lyme Disease Association and the Michigan Department of Health and Human Services for their efforts in promoting the state's awareness, knowledge, prevention, and treatment of Lyme disease; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2017 as Lyme Disease Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Miller, Kelly, Kosowski, Noble, Sheppard, Inman, Reilly, Howell, Cole, Cox, Chatfield, Victory, Lucido, Hauck, Hughes, Kahle, Brinks, Calley, Chirkun, Elder, Faris, Greig, Howrylak, Kesto, Leutheuser, Marino, Maturen, Rendon, Sneller, Theis and Yaroch offered the following resolution:

#### **House Resolution No. 81.**

A resolution to declare May 4, 2017, as Prayer Day in the state of Michigan .

Whereas, Times of prayer have been part of our country's heritage since they were first declared by the Continental Congress; and

Whereas, The 66th observance of the National Day of Prayer will be held May 4, 2017, as recognized by both houses of Congress and by President Donald J. Trump; and

Whereas, Leaders of our nation have relied upon prayer throughout American history; and

Whereas, The Constitution of the State of Michigan of 1963 states that the constitution was written in gratefulness to "Almighty God for the blessings of freedom"; and

Whereas, Each chamber in the Michigan Legislature begins each session with prayer; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 4, 2017, as Prayer Day in the state of Michigan. We encourage the citizens of our nation to pray in his and her own manner, seeking God's blessings on our families and government officials for personal renewal, moral awakening, and a new spirit of harmony across our land; and be it further

Resolved, That we urge all Americans to join in observing this day with appropriate programs, ceremonies, and activities. The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lucido, Brinks, Chang, Chirkun, Clemente, Elder, Ellison, Faris, Geiss, Greig, Hoadley, Howrylak, Hughes, Kahle, Kelly, Kesto, Lasinski, Leutheuser, Liberati, Marino, Maturen, Moss, Rendon, Schor, Sneller, Wittenberg, Yanez and Yaroch offered the following resolution:

## **House Resolution No. 82.**

A resolution to declare May 2017 as Stroke Awareness Month in the state of Michigan.

Whereas, Stroke is one of the leading causes of death and serious long-term disability in the state of Michigan; and Whereas, The federal government estimates show that more than \$34 billion is spent annually on strokes, including the cost of health care services, medications, and lost productivity; and

Whereas, Nearly 58 percent of Americans do not know if they are at risk for a stroke, and one in three Americans cannot name any of the signs or symptoms of a stroke; and

Whereas, The F.A.S.T. warning signs and symptoms of a stroke include face drooping, arm weakness, speech difficulty, and time to call 9-1-1. Additional stroke warning signs and symptoms include sudden numbness or weakness of the face, arm, or leg, especially on one side of the body, confusion, trouble speaking or difficulty understanding speech, trouble seeing in one or both eyes, trouble walking, dizziness, loss of balance or coordination, and severe headache with no known cause; and

Whereas, The American Heart Association urges people to lower their risk of heart disease and stroke by focusing on "Life's Simple 7" key health factors and behaviors: managing blood pressure, controlling cholesterol, reducing blood sugar, getting active, eating better, losing weight, and stopping smoking; and

Whereas, New and effective treatments have been developed to treat and minimize the severity and damaging effect of stokes, but much more research is needed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2017 as Stroke Awareness Month in the state of Michigan. We urge increased public awareness of the risk factors, warning signs, and symptoms of stroke; and be it further

Resolved, That copies of this resolution be transmitted to the members of the Michigan congressional delegation, the Governor of Michigan, and the Secretary of the Michigan Senate.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hernandez, Hornberger, Lauwers, Chatfield, Brinks, Chirkun, Ellison, Geiss, Greig, Hoadley, Howrylak, Hughes, Kelly, Kesto, Lasinski, Liberati, Marino, Maturen, Sheppard, Sneller, Yanez and Yaroch offered the following resolution: **House Resolution No. 83.** 

A resolution to encourage the state of Michigan and the province of Ontario to improve communications between their respective government entities in the event of environmental emergencies and perceived environmental threats.

Whereas, On February 23, 2017, large flames were observed at a facility located in the city of Sarnia, Ontario—located just across the St. Clair River from the city of Port Huron, Michigan—causing much concern from citizens in the St. Clair County area; and

Whereas, Lambton County, Ontario, and St. Clair County, Michigan, are located in very close proximity to each other and share a border on the St. Clair River, a critically important waterway for the economic viability of the area as well as the environmental quality of life for citizens on both sides of the international border; and

Whereas, The citizens of Michigan and Ontario rightfully expect their governments to communicate quickly in the event of an emergency or potential emergency situation; and

Whereas, The current notification procedures were agreed upon between Michigan and Ontario in 1988. Since then, technological advancements have made the speed of communication exponentially faster; and

Whereas, Timely notification to citizens and media outlets is vital to ensure panic is not caused when residents witness situations which appear dangerous; and

Whereas, In the past, governments on both sides of the border have been lacking in the timeliness and effectiveness of their communications with counterparts from the other side of the border; and

Whereas, This body recognizes the work done by the government of Sarnia to set up their Community Awareness Emergency Resource Hotline at 1-855-SARNIA, allowing residents in the 810 area code to sign up for free alerts as well as the My Community Notification Network; and

Whereas, This body recognizes the work done by the government of St. Clair County to set up their Warning Information Notification System; and

Whereas, In order to best serve citizens of both countries, Lambton and St. Clair counties—as well as the state of Michigan as a whole and the province of Ontario as a whole—must maintain a proper line of communication to ensure the quick dissemination of notice regarding potential environmental hazards; now, therefore, be it

Resolved by the House of Representatives, That we encourage local, state, and provincial emergency officials in the state of Michigan and the province of Ontario to work together to increase the efficiency of communications between our governments; and be it further

Resolved, That we are committed to working with local officials, as necessary, to improve and update the 1988 Ontario-Michigan Joint Notification Plan of Unanticipated or Accidental Discharges of Pollutants into Shared Waters of the Great Lakes and Interconnecting Channels; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan, the Premier of Ontario, the Ontario Minister of the Environment and Climate Change, the Clerk of the Ontario Legislative Assembly, and the Sarnia-Lambton Member of the Provincial Parliament.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kahle, Brinks, Chang, Chirkun, Clemente, Elder, Ellison, Faris, Geiss, Greig, Hoadley, Hughes, Kesto, Lasinski, Liberati, Maturen, Moss, Rendon, Schor, Sneller, Wittenberg, Yanez and Yaroch offered the following resolution:

#### **House Resolution No. 84.**

A resolution to declare May 4, 2017, as Anti-Bullying Day in the state of Michigan.

Whereas, In 2012, the United Nations, in an effort to raise public awareness and confront the act of bullying in all forms and stand in support of anti-bullying campaigns worldwide, established and declared May 4 as Anti-Bullying Day; and

Whereas, Bullying in schools and beyond school walls has pervaded students' lives and negatively impacted the climate in which they are guaranteed the right to learn freely and without fear, impacting both students who bully and those who are bullied adversely; and

Whereas, All Michigan citizens are in some way affected by this widespread issue and should collaborate to address the problem early and authoritatively; and

Whereas, Bullying, according to the Matt Epling Safe School Law, means any written, verbal, or physical act, or any electronic communication, including, but not limited to, cyberbullying, that is intended or that a reasonable person would know is likely to harm 1 or more pupils either directly or indirectly. It does one or more of the following: (i) Substantially interfering with educational opportunities, benefits, or programs of 1 or more pupils. (ii) Adversely affecting the ability of a pupil to participate in or benefit from the school district's or public school's educational programs or activities by placing the pupil in reasonable fear of physical harm or by causing substantial emotional distress. (iii) Having an actual and substantial detrimental effect on a pupil's physical or mental health. (iv) Causing substantial disruption in, or substantial interference with, the orderly operation of the school; and

Whereas, Whether such bullying behavior is direct or indirect, the physical and psychological intimidation that occurs repeatedly often creates an ongoing pattern of harassment and abuse for the victim; and

Whereas, The far-reaching effects of bullying upon students cause severe, and in some cases, lifelong problems, inciting fear and hopelessness into students' lives and increasing considerations of self-harm and suicide; and

Whereas, Victims of bullying are more likely to avoid attending school, struggle in their schoolwork, and drop out before graduation, often leaving psychological impact that carries into adulthood in the forms of anxiety and depression; and

Whereas, Cyber-bullying has increased rapidly, only enhancing pain and trauma for students, while spreading the reach of bullying into a multitude of social spheres and online mediums; and

Whereas, Victimized children are commonly expected to confront their abusers on their own and often feel that they have no way to defend themselves; and

Whereas, Confrontation and advocacy from authority figures such as parents, teachers, and administrators provides a resource for victims and a safe haven for vulnerability and progress both in squelching the bullying and strengthening the bullied; and

Whereas, Those who engage in bullying behavior are at increased risk for academic problems, substance use, and violent behavior later in adolescence and adulthood; and

Whereas, Every Michigan school district must adopt a local policy prohibiting bullying and harassment at school, according to Public Act 241 of 2011, also known as Matt Epling Safe School Law; and

Whereas, A stand against bullying, informing the general public about the risks and cost of bullying for both the bully and the target, as well as those who witness bullying, should aid in bringing awareness and taking preventative action to affect societal attitudes toward bullying and bullying's prevalence in society; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 4, 2017, as Anti-Bullying Day in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ellison, Hoadley, Sneller, Love, Lucido, Clemente, Sowerby, Faris, Moss, Frederick, Sabo, Byrd, Scott, Yanez, Brinks, Singh, Greig, Tedder, Noble, Rendon, Wittenberg, Cochran, Chang, Chirkun, Elder, Geiss, Howrylak, Hughes, Kelly, Kesto, Lasinski, Liberati, Marino, Maturen, Pagan, Schor and Yaroch offered the following resolution:

# House Resolution No. 85.

A resolution to declare May 2017 as Cystic Fibrosis Awareness Month in the state of Michigan.

Whereas, Cystic fibrosis (CF) is a genetic disease affecting approximately 30,000 children and adults in the United States; and

Whereas, A defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs. These secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

Whereas, More than 10 million American are symptomless carriers of the defective cystic fibrosis gene. The disease occurs in approximately one out of every 3,500 live births in the United States; and

Whereas, There are close to 1,200 children living in Michigan with the disease; and

Whereas, The median age of survival for a person with cystic fibrosis is 41.1 years; and

Whereas, Infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have CF; and

Whereas, Early diagnosis of cystic fibrosis permits early treatment and enhances quality of life and longevity. The treatment of CF depends on the stage of the disease and the organs involved; and

Whereas, A critical component of treating patients with cystic fibrosis includes access to innovative treatments, which can play a critical role in the lives of patients; and

Whereas, Michigan has a Cystic Fibrosis chapter in the Detroit area dedicated to raising awareness about cystic fibrosis and providing support to those with the disease; and

Whereas, Michigan based non-profit advocacy groups such as the Rock CF Foundation, Bonnell Foundation, Hunt for a Cure, and the Cystic Fibrosis Foundation help raise awareness of cystic fibrosis and provide support to those with the disease; and

Whereas, Michigan also has eight cystic fibrosis care centers: Children's Hospital of Michigan, Wayne State University Harper University Hospital, Helen DeVos Women and Children's Center, Spectrum Health Adult Cystic Fibrosis Care Center, Michigan State University Pediatric, University of Michigan Pediatric and Adult, Hurley Children's Clinic at Mott Children's Health Center, and Western Michigan University School of Medicine Clinics. Toledo, Ohio is also home to the Toledo Children's Hospital and Northwest Ohio Cystic Fibrosis Center which serve Michigan patients as well; and

Whereas, During the month of May, Cystic Fibrosis chapters and volunteers will come together throughout the state of Michigan to raise awareness about the disease to achieve their mission of curing and providing support and treatment to those with cystic fibrosis; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare May 2017 as Cystic Fibrosis Awareness Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

# **Reports of Standing Committees**

The Speaker laid before the House

#### House Resolution No. 38.

A resolution to memorialize the Congress of the United States to repeal the standards set forth by the United States Environmental Protection Agency on portable fuel container design.

(For text of resolution, see House Journal No. 26, p. 275.)

(The resolution was reported by the Committee on Natural Resources on April 26.)

The question being on the adoption of the resolution,

The resolution was adopted.

# Third Reading of Bills

#### Senate Bill No. 111, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2, 8a, 11, 13, 13b, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2663b, 125.2665, and 125.2666), as amended by 2016 PA 471, and by adding sections 13c and 14a.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 94 Yeas—85

Afendoulis Farrington Kosowski Albert Frederick LaFave Alexander Garcia LaGrand Bellino Garrett LaSata Bizon Gay-Dagnogo Lasinski Brann Geiss Lauwers **Brinks** Graves Leonard Byrd Green Leutheuser Callev Greig Liberati Camilleri Greimel Lilly Griffin Canfield Love Chatfield Guerra Lucido Chirkun Hammoud Marino Clemente Hauck Maturen Cochran Hertel Moss Cox Hoadley Neelev Crawford Hughes Pagan Dianda Iden Pagel Durhal Inman Peterson

Roberts Sabo Santana Schor Scott Sheppard Singh Sneller Sowerby Tedder VanderWall VanSingel Vaupel VerHeulen Victory Webber Whiteford Wittenberg Yanez

ElderKahlePhelpsYarochEllisonKestoRendonZemke

Faris

# Nays-22

Allor Hoitenga Lower Reilly Barrett Hornberger McCready Robinson Chang Howell Miller Runestad Cole Howrylak Noble Theis Glenn Johnson Rabhi Wentworth Hernandez Kelly

In The Chair: Chatfield

The question being on agreeing to the title of the bill,

Rep. Lauwers moved to amend the title to read as follows:

A bill to amend 1996 PA 381, entitled "An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing," by amending sections 2, 8a, 11, 13, 13b, 15, and 16 (MCL 125.2652, 125.2658a, 125.2661, 125.2663, 125.2663b, 125.2665, and 125.2666), sections 2, 8a, 11, 13, 15, and 16 as amended and section 13b as added by 2016 PA 471, and by adding sections 13c and 14a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

#### Senate Bill No. 112, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.713) by adding section 51e. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

# Roll Call No. 95 Yeas—85

Afendoulis Farrington Kosowski Albert Frederick LaFave Alexander Garcia LaGrand Bellino Garrett LaSata Bizon Gay-Dagnogo Lasinski Brann Geiss Lauwers **Brinks** Graves Leonard Byrd Green Leutheuser Calley Greig Liberati Camilleri Greimel Lilly Canfield Griffin Love Chatfield Guerra Lucido Chirkun Hammoud Marino Clemente Hauck Maturen Hertel Cochran Moss

Roberts
Sabo
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Tedder
VanderWall
VanSingel
Vaupel
VerHeulen
Victory

Sabo

Schor

Scott

Santana

Sheppard Singh

Sneller

Tedder

Vaupel

Webber

Sowerby

VanderWall

VanSingel

VerHeulen Victory

Cox Hoadley Neeley Webber Crawford Hughes Whiteford Pagan Dianda Iden Pagel Wittenberg Durhal Peterson Yanez Inman Elder Kahle Yaroch Phelps Ellison Kesto Rendon Zemke Faris

# Nays-22

Allor Hoitenga Lower Reilly Barrett Hornberger McCready Robinson Chang Howell Miller Runestad Cole Howrylak Noble Theis Glenn Johnson Rabhi Wentworth Hernandez Kelly

In The Chair: Chatfield

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement by lien and otherwise of taxes on or measured by net income and on certain commercial, business, and financial activities; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal acts and parts of acts,"

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

#### Senate Bill No. 113, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4d (MCL 205.54d), as amended by 2014 PA 53.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

# Roll Call No. 96 Yeas—83

Afendoulis Faris Kosowski Albert Farrington LaFave Alexander Frederick LaGrand Bellino Garcia LaSata Bizon Garrett Lasinski Brann Gay-Dagnogo Lauwers Geiss **Brinks** Leonard Byrd Graves Leutheuser Calley Green Liberati Camilleri Greig Lilly Canfield Greimel Love Chatfield Griffin Lucido Chirkun Guerra Marino Clemente Hammoud Maturen Cochran Hauck Moss

Whiteford

Sabo

Schor

Scott

Singh

Sneller

Tedder VanderWall

Vaupel VerHeulen

Victory

Webber

Yanez

Yaroch

Whiteford

Wittenberg

Sowerby

VanSingel

Santana

Sheppard

Cox Hertel Neeley Crawford Hughes Wittenberg Pagel Dianda Yanez Iden Peterson Durhal Yaroch Inman Phelps Elder Kahle Zemke Rendon Ellison Kesto Roberts

# Nays-24

Allor Hoadley Kelly Rabhi Barrett Hoitenga Lower Reilly Hornberger McCready Robinson Chang Cole Howell Miller Runestad Glenn Howrylak Noble Theis Hernandez Johnson Pagan Wentworth

In The Chair: Chatfield

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,"

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

#### Senate Bill No. 114, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4dd. Was read a third time and passed, a majority of the members serving voting therefor, by year and nays, as follows:

#### Roll Call No. 97 Yeas—83

Afendoulis Faris Kosowski Albert Farrington LaFave Alexander Frederick LaGrand Bellino Garcia LaSata Bizon Garrett Lasinski Brann Gay-Dagnogo Lauwers **Brinks** Geiss Leonard Byrd Graves Leutheuser Callev Green Liberati Camilleri Greig Lilly Greimel Canfield Love Chatfield Griffin Lucido Chirkun Guerra Marino Clemente Hammoud Maturen Cochran Hauck Moss Cox Hertel Neelev Crawford Hughes Pagel Peterson Dianda Iden Durhal Inman Phelps

Zemke

Elder Kahle Rendon
Ellison Kesto Roberts

Navs-24

Allor Hoadley Kelly Rabhi Barrett Hoitenga Lower Reilly Chang Hornberger McCready Robinson Cole Howell Miller Runestad Glenn Howrylak Noble Theis Hernandez Johnson Pagan Wentworth

In The Chair: Chatfield

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the levy, assessment, and collection of a specific excise tax on the storage, use, or consumption in this state of tangible personal property and certain services; to appropriate the proceeds of that tax; to prescribe penalties; and to make appropriations,"

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

#### Senate Bill No. 115, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 9 (MCL 125.2689), as amended by 2011 PA 315.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

# Roll Call No. 98 Yeas—85

Afendoulis Farrington Kosowski Roberts Frederick LaFave Albert Sabo Alexander Garcia LaGrand Santana Bellino Garrett LaSata Schor Bizon Gay-Dagnogo Lasinski Scott Brann Geiss Lauwers Sheppard **Brinks** Graves Leonard Singh Byrd Sneller Green Leutheuser Calley Greig Liberati Sowerby Camilleri Greimel Tedder Lilly Canfield Griffin Love **VanderWall** Chatfield Guerra Lucido VanSingel Chirkun Hammoud Vaupel Marino Clemente Hauck Maturen VerHeulen Victory Cochran Hertel Moss Webber Cox Hoadley Neeley Crawford Hughes Whiteford Pagan Wittenberg Dianda Iden Pagel Durhal Inman Peterson Yanez Yaroch Elder Kahle Phelps Ellison Kesto Rendon Zemke Faris

# Nays—22

Allor Hoitenga Lower Reilly Robinson Barrett Hornberger McCready Howell Chang Miller Runestad Cole Howrylak Noble Theis Glenn Johnson Rabhi Wentworth

Hernandez Kelly

In The Chair: Chatfield

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,"

The House agreed to the full title.

Rep. Lauwers moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

# Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been reproduced and made available electronically on Wednesday, May 3:

House Bill Nos. 4579 4580 4581 House Joint Resolution O

The Clerk announced that the following bills had been reproduced and made available electronically on Wednesday, May 3:

Senate Bill Nos. 360 361 362

The Clerk announced that the following Senate bills had been received on Thursday, May 4:

Senate Bill Nos. 130 134 135 136 137 138 142 143 144 145 146 147 148 149

The Clerk announced that the following bills had been reproduced and made available electronically on Thursday, May 4: Senate Bill Nos. 363 364 365 366

The Speaker Pro Tempore called Associate Speaker Pro Tempore Tedder to the Chair.

# Messages from the Senate

# Senate Bill No. 144, entitled

A bill to make appropriations for the department of corrections for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

# Senate Bill No. 142, entitled

A bill to make appropriations for the legislature, the executive, the department of attorney general, the department of state, the department of treasury, the department of technology, management, and budget, the department of civil rights, the department of talent and economic development, and certain state purposes related thereto for the fiscal year ending September 30, 2018; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

# Senate Bill No. 136, entitled

A bill to make appropriations for the department of insurance and financial services for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

# Senate Bill No. 137, entitled

A bill to make appropriations for the department of licensing and regulatory affairs for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

#### Senate Bill No. 146, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

# Senate Bill No. 145, entitled

A bill to make appropriations for the department of state police for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

#### Senate Bill No. 148, entitled

A bill to make appropriations for the state transportation department for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

#### Senate Bill No. 130, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2018; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Lauwers moved that Rules 41 and 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Lauwers moved that the bill be placed on the order of Second Reading of Bills.

The motion prevailed.

# Second Reading of Bills

# House Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article I, to require the government to obtain a search warrant in order to access a person's electronic data or electronic communication.

The joint resolution was read a second time.

Rep. Runestad moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

# Senate Bill No. 168, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 6107 (MCL 500.6107), as added by 1992 PA 174.

The bill was read a second time.

Rep. Lauwers moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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Rep. Lauwers moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

By unanimous consent the House returned to the order of

# **Reports of Standing Committees**

The Committee on Oversight, by Rep. Graves, Chair, reported

#### House Bill No. 4431, entitled

A bill to amend 1952 PA 46, entitled "An act to provide for the inspection by committees of the legislature of the records and files of state departments, boards, institutions and agencies," by amending section 1 (MCL 4.541).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Graves, Howrylak, Iden and Johnson

Nays: Reps. Hertel and Chirkun

The Committee on Oversight, by Rep. Graves, Chair, reported

#### House Bill No. 4432, entitled

A bill to amend 1931 PA 118, entitled "An act to provide for the administration of oaths, subpoena of witnesses and/or examination of certain books and records by committees and commissions of the legislature," by amending section 1 (MCL 4.101).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Graves, Howrylak, Iden and Johnson

Nays: Reps. Hertel and Chirkun

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Graves, Chair, of the Committee on Oversight, was received and read:

Meeting held on: Thursday, May 4, 2017

Present: Reps. Graves, Howrylak, Iden, Johnson, Hertel and Chirkun

# COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Theis, Chair, of the Committee on Insurance, was received and read:

Meeting held on: Thursday, May 4, 2017

Present: Reps. Theis, VanderWall, Barrett, Glenn, Runestad, Vaupel, Webber, Bellino, Hoitenga, LaFave, Wentworth,

Greimel, Gay-Dagnogo, Wittenberg, Hammoud and Lasinski

Absent: Rep. Phelps Excused: Rep. Phelps

#### Messages from the Senate

# Senate Bill No. 134, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 210e, 217, 222, 223, 224, 225, 226, 229a, and 230 (MCL 388.1801, 388.1801a, 388.1806, 388.1807a, 388.1807b, 388.1807c, 388.1809, 388.1810b, 388.1810e, 388.1817, 388.1822, 388.1823, 388.1824, 388.1825,

388.1826, 388.1829a, and 388.1830), sections 201, 201a, 206, 207a, 207b, 207c, 209, 210b, 217, 222, 223, 224, 225, 226, 229a, and 230 as amended and section 210e as added by 2016 PA 249.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

#### Senate Bill No. 135, entitled

A bill to make appropriations for the department of health and human services for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

#### Senate Bill No. 138, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 236, 236a, 236b, 236c, 237b, 241, 244, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 284 (MCL 388.1836, 388.1836a, 388.1836b, 388.1836c, 388.1837b, 388.1841, 388.1844, 388.1851, 388.1852, 388.1854, 388.1856, 388.1863, 388.1863a, 388.1864, 388.1865, 388.1865a, 388.1867, 388.1868, 388.1869, 388.1870, 388.1874, 388.1874c, 388.1875, 388.1876, 388.1877, 388.1878, 388.1879, 388.1880, 388.1881, 388.1882, 388.1883, and 388.1884), sections 236, 236a, 236b, 236c, 237b, 241, 251, 252, 254, 256, 263, 263a, 264, 265, 265a, 267, 268, 269, 270, 274, 274c, 275, 276, 277, 278, 279, 280, 281, 282, 283, and 284 as amended by 2016 PA 249 and section 244 as amended by 2015 PA 85, and by adding sections 236e, 249, and 275c; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

#### Senate Bill No. 143, entitled

A bill to make appropriations for the judiciary for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

# Senate Bill No. 147, entitled

A bill to make appropriations for the department of education for the fiscal year ending September 30, 2018; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

# Senate Bill No. 149, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 8b, 11, 11a, 11j, 11k, 11m, 11r, 11s, 15, 18, 18c, 20, 20d, 20f, 20m, 21, 22a, 22b, 22d, 22g, 24, 24a, 24c, 25f, 25g, 26a, 26b, 26c, 31a, 31b, 31d, 31f, 31j, 32d, 32p, 32q, 35, 35a, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54b, 55, 56, 61a, 61b, 61c, 62, 64b, 65, 67, 74, 81, 94, 94a, 98, 99h, 99s, 99t, 102d, 104, 104c, 104d, 107, 147, 147a, 147c, 152a, 152b, and 166b (MCL 388.1603, 388.1604, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611j, 388.1611k, 388.1611m, 388.1611r, 388.1611s, 388.1615, 388.1618, 388.1618c, 388.1620, 388.1620d, 388.1620f, 388.1620m, 388.1621, 388.1622a, 388.1622b, 388.1622d, 388.1622g, 388.1624, 388.1624a, 388.1624c, 388.1625f, 388.1625g, 388.1626a, 388.1626b, 388.1626c, 388.1631a, 388.1631b, 388.1631d, 388.1631f, 388.1631j, 388.1632d, 388.1632p, 388.1632q, 388.1635, 388.1635a, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654b, 388.1655, 388.1656, 388.1661a, 388.1661b, 388.1661c, 388.1662, 388.1664b, 388.1665, 388.1667, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1698, 388.1699h, 388.1699s, 388.1699t, 388.1702d, 388.1704, 388.1704c, 388.1704d, 388.1707, 388.1747, 388.1747a, 388.1747c, 388.1752a, 388.1752b, and 388.1766b), sections 3, 4, 6, 11, 11a, 11j, 11k, 11m, 11r, 15, 18, 20d, 20f, 22a, 22b, 22d, 22g, 24, 24a, 24c, 25f, 25g, 26a, 26b, 26c, 31a, 31d, 31f, 32d, 32p, 35, 35a, 39, 39a, 41, 51c, 51d, 53a, 54, 55, 56, 61b, 62, 64b, 65, 67, 74, 81, 94, 94a, 99s, 102d, 104, 104d, 107, 147, 147a, 147c, 152a, and 166b as amended and sections 11s, 20m, 21, 31b, 31j, 32q, 54b, and 152b as added by 2016 PA 249, section 8b as amended by 2015 PA 85, section 18c as amended by 2012 PA 201, sections 20, 61a, 61c, 98, 99h, 99t, and 104c as amended by 2016 PA 313, and section 51a as amended by 2016 PA 534, and by adding sections 21h, 21j, 22m, 99c, 99k, 99u, and 160; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

#### **Introduction of Bills**

Reps. Bellino, LaFave, Marino, Barrett, Hughes, Sheppard, Hornberger and Hauck introduced

House Bill No. 4582, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531*l*. The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs.

Reps. Whiteford, Victory, Howell, VanSingel, VerHeulen and Cole introduced

#### House Bill No. 4583, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506a and 21510d (MCL 324.21506a and 324.21510d), section 21506a as amended by 2016 PA 467 and section 21510d as added by 2016 PA 380, and by adding section 21519a.

The bill was read a first time by its title and referred to the Committee on Natural Resources.

Reps. Vaupel, Sheppard, Canfield, Lucido, Faris and Runestad introduced

# House Bill No. 4584, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5822. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Yaroch, Schor and Kesto introduced

#### House Bill No. 4585, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479d. The bill was read a first time by its title and referred to the Committee on Law and Justice.

Reps. Schor, Yaroch and Kesto introduced

#### House Bill No. 4586, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

The bill was read a first time by its title and referred to the Committee on Law and Justice.

Reps. Kesto, Tedder, Webber, Graves, McCready, Crawford, Reilly, Howrylak, Inman and Wittenberg introduced **House Bill No. 4587, entitled** 

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2016 PA 249.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Brinks, Graves, Love, Lucido, Geiss, Sabo, Gay-Dagnogo, Faris, Camilleri, Phelps, Green, Chang, Chirkun, Hertel, Yanez, Schor, Pagel, Brann, Rendon, Hoadley, Ellison, Hammoud, Moss and Lasinski introduced

# House Bill No. 4588, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," (MCL 451.2101 to 451.2703) by adding article 5A. The bill was read a first time by its title and referred to the Committee on Financial Services.

Reps. Graves, Brinks, Love, Lucido, Geiss, Sabo, Gay-Dagnogo, Faris, Camilleri, Phelps, Green, Chang, Chirkun, Hertel, Yanez, Schor, Pagel, Brann, Rendon, Hoadley, Ellison, Moss, Hammoud and Lasinski introduced

# House Bill No. 4589, entitled

A bill to amend 2008 PA 551, entitled "Uniform securities act (2002)," (MCL 451.2101 to 451.2703) by amending the title and by adding article 5A.

The bill was read a first time by its title and referred to the Committee on Financial Services.

Reps. Kesto and Iden introduced

#### House Bill No. 4590, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479d. The bill was read a first time by its title and referred to the Committee on Law and Justice.

Reps. Iden and Kesto introduced

# House Bill No. 4591, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2012 PA 323.

The bill was read a first time by its title and referred to the Committee on Law and Justice.

Reps. Reilly, Glenn, Johnson, Noble, Vaupel, Miller, Kesto, Barrett, Howell, Frederick, LaFave and Kahle introduced **House Bill No. 4592, entitled** 

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2835 and 2837 (MCL 333.2835 and 333.2837), section 2835 as amended by 2012 PA 499 and section 2837 as added by 1999 PA 208, and by adding section 2839. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Kahle, Hornberger, Barrett, Reilly, Howell, Frederick and LaFave introduced **House Bill No. 4593, entitled** 

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as amended by 2016 PA 387.

The bill was read a first time by its title and referred to the Committee on Health Policy.

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Rep. Love moved that the House adjourn.

The motion prevailed, the time being 2:40 p.m.

Associate Speaker Pro Tempore Tedder declared the House adjourned until Tuesday, May 9, at 1:30 p.m.

GARY L. RANDALL Clerk of the House of Representatives